

Application No.: 09/505,915
Amendment dated: June 2, 2005
Reply to Office Action of: December 2, 2004

REMARKS

In response to the final Office Action dated December 2, 2004, Applicant is submitting a Request for Continued Examination (RCE) and this preliminary amendment. Claims 17-23, 25-40, 42-116, 121, and 123-205 are pending in this application. Of these, claims 29-38, 59-62, 77-85, 107-110, 171-179, and 201-204 are objected to and claims 17-23, 25-28, 39, 40, 42-58, 63-76, 86-106, 111-116, 121, 123-170, and 180-206 are rejected. In the final office action, the Examiner also indicated that the drawings filed on February 17, 2000, are accepted. Reconsideration and allowance of this application is respectfully requested.

Specifically, in paragraph 2 of the office action, the Examiner rejected claims 21-22, 25, 69-70, 72, 116, 121, 123, 163-165, and 167-170 for failing to provide written description for what is claimed. The Examiner takes the position that Applicant's request form (Figure 9), which indicates price data is transmitted to vendors who are authorized to sell the designated merchandise as identified by the merchandise code on the request form. Contrary to the Examiner allegation, the control system must still determine which particular vendor is authorized to sell the designated merchandise, albeit by using the merchandise code indicated on the buyer's request form before routing the request to an authorized vendor. To that extent, Applicant contends that the control system does utilize purchase data indicated on the buyer's request form to isolate vendors and route the buyer's request to the appropriate vendors. Nonetheless, Applicant has amended the claims to indicate that the purchase data is indicated by the buyer.

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With respect to claim 25, the Examiner fails to find support in the specification of the highest offer. The highest offer is no more than the maximum amount that a buyer is willing to pay, which amount may be indicated on a buyer's request form.

In paragraph 5, the Examiner indicated that there is allowable subject matter, which Applicant appreciatively acknowledges. Applicant has amended all the claims to which the Examiner objected, to include all the limitations of the claims from which the objected claims depended. Accordingly, the objected claims should now be allowable. In addition, in an effort to conclude prosecution of this application, Applicant has attempted to incorporate the limitations deemed allowable by the Examiner in the rejected claims as well. Applicant respectfully submits that all the claims, as amended here, are allowable. In the event Applicant decides to continue prosecuting the scope of the rejected claims, he reserves his right to pursue them in a continuation application.

Favorable consideration and allowance of the claims pending here is respectfully requested. Also, the undersigned respectfully requests the Examiner to call the undersigned in the event there are any outstanding issues that must be resolved.

Dated: June 2, 2005

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Respectfully submitted,

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